

June 19, 2013

***Via Electronic Filing***

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, DC 20554

**Re: *Ex Parte* Presentation, CC Docket No. 96-115**

Dear Ms. Dortch:

On June 17, 2013, Christopher Guttman-McCabe, Vice President, Regulatory Affairs, CTIA-The Wireless Association® (“CTIA”), Krista Witanowski, Assistant Vice President, Regulatory Affairs, CTIA; Charles McKee, Courtney Manzel (Sprint); Kathy Grillo, Catherine Hilke (Verizon); Jim Talbot, Jeanine Poltronieri (AT&T); Kathleen Ham, Shellie Blakeney (T-Mobile); Sean Spivey (CCA); and Peter Connolly (Holland & Knight, representing US Cellular) met with Louis Peraertz, Legal Advisor for Wireless, International, and Public Safety issues, Office of Acting Chairwoman Mignon Clyburn; and Sean Lev, General Counsel, Douglas Klein and Jennifer Tatel (Office of General Counsel) of the Federal Communications Commission, to discuss the Commission’s proceeding on privacy and security of information stored on mobile communications devices (“CPNI proceeding”).

We discussed the status of the Commission’s proposal on circulation to issue a declaratory ruling addressing how the CPNI requirements apply to information stored on mobile communications devices and how carriers should protect such information. CTIA and CCA highlighted that its members take security and privacy seriously and are committed to protecting CPNI that a carrier causes to be stored on mobile communications devices.

Specifically, we asked the Commission to make clear in the Declaratory Ruling that CPNI requirements only apply to carriers if a carrier directed or caused CPNI to be on a mobile device and that the carrier has access to that CPNI. CTIA urged caution in defining or giving examples of what is reasonable behavior regarding protecting CPNI. Also, the Commission should continue to take account of costs and benefits in light of the technologies already implemented by carriers. CTIA also highlighted that there are other efforts underway to create a code of conduct as a consumer protection initiative, such as the ongoing multi-stakeholder process at NTIA. CTIA urged the Commission to facilitate those efforts and to take care not to unintentionally hinder these and other such collaborative processes. CCA also raised its concern over the Commission’s reliance on “voluntary” agreements entered into by particular carriers as guideposts of reasonable

behavior, when many smaller carriers are either uninvolved in their drafting, or commit to them in one iteration at one point in time but are subject to later iterations which they neither drafted nor negotiated.

Pursuant to Section 1.1206 of the Commission's rules,<sup>1</sup> this letter is being electronically filed via ECFS with your office and a copy of this submission is being provided to the meeting attendees. Please let the undersigned know if you have any questions regarding this filing.

Sincerely,

*/s/ Krista Witanowski*

Krista Witanowski  
Assistant Vice President- Regulatory Affairs  
CTIA-The Wireless Association®

cc: Louis Peraertz  
Sean Lev  
Douglas Klein  
Jennifer Tatel  
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Kathy Grillo  
Catherine Hilke  
Jim Talbot  
Jeanine Poltronieri  
Kathleen Ham  
Shellie Blakeney  
Sean Spivey  
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<sup>1</sup> 47 C.F.R. § 1.1206.